(14)

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**Cri. Misc. Petition No.255/2007**

**Single Bench:** **Hon'ble Shri Dilip Raosaheb Deshmukh, J.**

**Petitioner**
**In Jail**

Atul Singh
S/o Late Shri Satyanarayan
Aged about 30 years,
R/o Babu Para, Ambikapur,
District Surguja, (C.G.)

**Versus**

**Respondent**

State of Chhattisagarh through P.S. Ambikapur,District Surguja, (C.G.)

**PETITION UNDER SECTION 482 OF THE CODE OF CRIMINAL PROCEDURE FOR MODIFICATION OF ORDER DATED 26-06-2007 PASSED IN CRIMINAL REVISION (P.R.)NO.580/2007 BY HON'BLE SHRI DILIP RAOSAHEB DESHMUKH-J.**

**Present:-**
Shri P. Diwakar, Sr. Advocate with Shri Kunal Das, Advocate for the petitioner.
Shri Akhil Agrawal, P.L. for the State/respondent.

**ORAL ORDER**
(Passed on 18th July, 2007)

Heard on admission.

(2) The petitioner seeks modification of the order dated 26-06-2007 passed in Criminal Revision (P.R.)No.580/2007 whereby the revision preferred against the framing of charges against the petitioner under Section 302 read with Section 120-B of IPC by the 3rd Additional Sessions Judge, Ambikapur was dismissed.

(3) The petitioner only prays that it should be stated in the order dated 26.6.2007 that the observation in the order shall not come in the way of the trial Court in deciding the case on its merits. However, while considering the revision, the merits of the case has not been considered at all and only on the basis of the documents filed by the prosecution under Section 173 Cr.P.C., the revision was decided. No such observation has been made as would influence the trial on merits.

(4) In this view of the matter, no such modification is necessary in the order dated 26-06-2007 passed in Criminal Revision (P.R.)No.580/2007.

(5) Accordingly, the application Cr.M.P.No.255/2007 is dismissed at the stage of admission.

**Sd/-**
**Dilip Raosaheb Deshmukh**
**Judge**